

**United States District Court
for**

District of New Jersey

Second Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Carlos Vargas

Docket Number: 09-00675-001
PACTS Number: 55442

Name of Sentencing Judicial Officer: Honorable Robert B. Kugler
United States District Judge

Date of Original Sentence: 05/26/2010

Original Offense: Conspiracy to Distribute and Possess With Intent to Distribute 500 Grams or More of Cocaine

Original Sentence: 24 months imprisonment; 5 years supervised release; \$100 Special Assessment.

First Violation of Supervised Release Sentence: 10/11/12: Pleaded guilty to continued drug use. Continued on supervised release with the addition of 6 months location monitoring.

Type of Supervision: Supervised Release

Date Supervision Commenced: 04/13/11

Assistant U.S. Attorney: Brian Lee Urbano, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Patrick N. McMahon, 1002 Broad Street, Newark, New Jersey 07102, (973) 645-6347

PETITIONING THE COURT

☐ To issue a warrant
☒ To issue a summons

~~The probation officer~~ believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 The offender has violated the special supervision condition which states
'ALCOHOL/DRUG TESTING AND TREATMENT'

You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.'

On November 16, 2012, the offender tested positive for cocaine and Benzoylecgonone (the compound tested for in substantive cocaine urinalyses) via an oral screening test. The specimen was confirmed positive by the national laboratory (COC No. R34713116).

2

The offender has violated the special supervision condition which states 'ALCOHOL/DRUG TESTING AND TREATMENT

You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.'


On November 30, 2012, the offender tested positive for cocaine and Benzoylecgonone (the compound tested for in substantive cocaine urinalyses) via an oral screening test. The specimen was confirmed positive by the national laboratory (COC No. R3471254).

I declare under penalty of perjury that the foregoing is true and correct.

Gisella M.
Bassolino
2012.12.11
16:23:40 -05'00'
By: Gisella M. Bassolino
U.S. Probation Officer
Date: 12/11/12
Carolee Ann
Azzarello
2012.12.12
12:19:19
-05'00'

THE COURT ORDERS:

- ☐ The Issuance of a Warrant
☒ The Issuance of a Summons. Date of Hearing: Jan - 9, 2013 @ 11:00 AM
☐ No Action
☐ Other


Signature of Judicial Officer

12/14/12
Date